

Exhibit C



PATROL GUIDE

| | | |
|--|---------------------------|----------------------|
| Section: Complaints | | Procedure No: 207-33 |
| COMPLAINTS INVOLVING SEX CRIMES | | |
| DATE EFFECTIVE: 05/24/23 | LAST REVISION: R.O. 26 | PAGE: 1 of 4 |

- PURPOSE** To properly investigate complaints involving a sex crime.
- PROCEDURE** When a uniformed member of the service responds to a complaint of a sex crime:
- DEFINITION** For purposes of this procedure, the term “sex crime” shall include those offenses enumerated in Article 130 of the New York State Penal Law, including but not limited to rape, criminal sexual act, sexual abuse and forcible touching.
- UNIFORMED MEMBER OF THE SERVICE**
1. Render reasonable aid and prepare **AIDED REPORT**, if applicable.
 - a. Remove victim to hospital, if necessary.
 - b. Encourage necessary medical attention when victim is reluctant to be removed to hospital.
 2. Attempt to apprehend perpetrator(s), if present.
 3. Establish a crime scene, if necessary.
 - a. Ensure any potential physical evidence (e.g., DNA, fingerprints, discharged shell casings, cell phones, computers, hairs, clothing, masks, etc.) is not contaminated, lost, altered, destroyed, etc.
 - b. Comply with *P.G. 218-33, “Processing Sexual Offense Collection Kits in Sex Offense Cases,”* if applicable.
 4. Request response of patrol supervisor.
 5. Notify desk officer, precinct of occurrence.
- PATROL SUPERVISOR**
6. Respond to location and coordinate patrol response.
 7. Promptly report all cases involving a sex crime to Special Victims Unit and provide preliminary details.
 - a. Notify desk officer, police service area (PSA)/transit district when sex crime incident occurs on housing/transit jurisdiction, as appropriate.”
 8. Supervise crime scene, if established, pending the arrival of Detective Bureau personnel.
 - a. Ensure crime scene is safeguarded.
 - b. Ensure potential physical evidence (e.g., DNA, fingerprints, discharged shell casings, cell phones, computers, hairs, clothing, masks, etc.) is not contaminated, lost, altered, destroyed, etc.
 9. Have **COMPLAINT REPORT WORKSHEET (PD313-152A)** prepared, if Special Victim Unit is not responding.
- SPECIAL VICTIMS UNIT**
10. Notify patrol supervisor, precinct of occurrence and provide investigative unit’s estimated time of arrival to incident.
 11. Notify desk officer, precinct of occurrence and provide investigative unit’s estimated time of arrival to incident.

PATROL GUIDE

| | | | |
|-------------------|-----------------|----------------|--------|
| PROCEDURE NUMBER: | DATE EFFECTIVE: | LAST REVISION: | PAGE: |
| 207-33 | 05/24/23 | R.O. 26 | 2 of 4 |

**ASSIGNED
INVESTIGATOR,
SPECIAL
VICTIMS UNIT/
UNIFORMED
MEMBER OF
THE SERVICE**

12. Provide victim of sex offense with a written notice detailing the name, address and telephone number(s) of the nearest Rape Crisis Center.
 - a. Document referral in the "Details" section of **COMPLAINT REPORT WORKSHEET**.
13. Advise victim of sexual offense(s) as defined in Article 130 and Sections 255.25, 255.26 and 255.27 of the New York State Penal Law who has relocated, or is planning to relocate, due to safety concerns that they may be eligible to participate in the New York State Address Confidentiality Program to shield their addresses.
 - a. Refer victim who wishes to participate in the New York State Address Confidentiality Program to the New York State Department of State's website for additional information.
14. Enter under "Notifications To" section on rear of **COMPLAINT REPORT WORKSHEET**:
 - a. Name of member of the service notified at Special Victims Unit, the Special Victims Squad assigned, investigator assigned and case number, if available,
 - b. Include any other investigative unit assigned, investigator assigned and case number, if applicable (e.g., IAB, Crime Scene Unit, etc.).

WHEN A WALK-IN COMPLAINT OF A SEX CRIME WITH NO PRIOR POLICE CONTACT IS RECEIVED AT A HOSPITAL:

**COMMANDING
OFFICER,
COMMUNICATIONS
SECTION**

15. Ensure all calls received at 911 involving a hospital walk-in complaint of a sex crime are referred by the 911 dispatcher directly to the Special Victims Unit.
 - a. Uniformed members assigned to patrol will not be directed to respond to the location and interview the complainant/victim.

**SPECIAL
VICTIMS UNIT**

16. Coordinate the response of Special Victims Unit investigative squad concerned.

**ASSIGNED
INVESTIGATOR,
SPECIAL
VICTIMS UNIT**

17. Respond to location, interview victim and initiate investigation.
 - a. Advise victim of sexual offense(s) as defined in Article 130 and Sections 255.25, 255.26 and 255.27 of the New York State Penal Law who has relocated, or is planning to relocate, due to safety concerns that they may be eligible to participate in the New York State Address Confidentiality Program to shield their addresses.
 - (1) Refer victim who wishes to participate in the New York State Address Confidentiality Program to the New York State Department of State's website for additional information.
18. Confer and coordinate with other members of the service at the scene.
19. Comply with all applicable Patrol Guide procedures, including *P.G. 218-33, "Processing Sexual Offense Collection Kits in Sex Offense Cases,"* if applicable.

PATROL GUIDE

| | | | |
|-------------------|-----------------|----------------|--------|
| PROCEDURE NUMBER: | DATE EFFECTIVE: | LAST REVISION: | PAGE: |
| 207-33 | 05/24/23 | R.O. 26 | 3 of 4 |

ASSIGNED INVESTIGATOR, SPECIAL VICTIMS UNIT (continued)

- a. Ensure any potential physical evidence (e.g., DNA, fingerprints, discharged shell casings, cell phones, computers, hairs, clothing, masks, etc.) is not contaminated, lost, altered, destroyed, etc.

20. Prepare **COMPLAINT REPORT WORKSHEET** and **AIDED REPORT**.
21. Notify desk officer, precinct of occurrence and provide details.

DESK OFFICER

22. Obtain information and notify desk officer, police service area (PSA)/transit district if sex crime incident occurred on housing/transit jurisdiction.

IF AN ARREST IS EFFECTED BY A UNIFORMED MEMBER OF THE SERVICE ON PATROL FOR ANY SEX CRIME:**ARRESTING OFFICER**

23. Promptly report details of arrest directly from the scene to the desk officer, precinct of occurrence, in all circumstances, to facilitate immediate notification to the Special Victims Unit.

DESK OFFICER

24. Promptly report effected arrest for any sex crime to Special Victims Unit.
- a. Notify desk officer, police service area (PSA)/transit district when sex crime incident occurs on housing/transit jurisdiction, as appropriate.

SPECIAL VICTIMS UNIT

25. Notify Special Victims Unit investigative squad concerned, provide details and coordinate response to incident.

ASSIGNED INVESTIGATOR

26. Advise arresting officer, and determine if case enhancement is needed.

ARRESTING OFFICER

27. Enter under "Notifications To" section on rear of **COMPLAINT REPORT WORKSHEET**:
- a. Name of member of the service notified at Special Victims Unit, the Special Victims Squad assigned, investigator assigned and case number, if available,
- b. Include any other investigative unit assigned, investigator assigned and case number, if applicable (e.g., IAB, Crime Scene Unit, etc.).

ADDITIONAL DATA**OPERATIONAL CONSIDERATIONS**

The Special Victims Unit is responsible for investigating sexual offense patterns and the tracking of all sex crimes. In addition, the Special Victims Unit will be the central repository of information and intelligence regarding complaints involving sex crimes.

PATROL GUIDE

| | | | |
|-------------------|-----------------|----------------|--------|
| PROCEDURE NUMBER: | DATE EFFECTIVE: | LAST REVISION: | PAGE: |
| 207-33 | 05/24/23 | R.O. 26 | 4 of 4 |

**ADDITIONAL
DATA
(continued)**

*Members of the service must contact the Special Victims Unit if assistance is required regarding the proper classification of complaints involving a sex crime. The member shall request to speak to a Special Victims Unit supervisor. The name of the Special Victims Unit member who assisted must be placed in the "Details" section of the **COMPLAINT REPORT (PD313-152)**.*

Any complaint involving sex related offenses, including secondary offenses that are sex related, requires a notification the Special Victims Unit.

The precinct detective squad will notify the Special Victims Unit and Police Impersonation Investigation Unit for complaints involving sex crimes and the impersonation of a law enforcement officer.

The Special Victims Unit will investigate robberies committed by police impersonators, which include any sexual assault, and PIU will assist in the investigation.

LEGAL ISSUES

Many hospital emergency rooms, as part of their Sexual Assault Treatment Protocol, will provide a sexual assault advocate for victims of sexual assault. The sexual assault advocate's role is to provide support for the sexual assault victim and is authorized to be present in a support capacity when uniformed members of the service are interacting with the sexual assault victim. The sexual assault advocate is allowed to be present at the request of the victim.

DEPARTMENT POLICY

Under no circumstances will the Department's long standing policy of "refer the complaint, not the complainant" be violated. A sex crime complainant will never be referred or directed to report to another Department unit or facility.

All members of the service will have a compassionate and non-judgmental attitude and demeanor towards all complainants of sex crimes. It is the duty of the responding member of the service to acquire the basic facts and refer those facts as appropriate, and to make no personal judgment of those facts.



PATROL GUIDE

| | | |
|-----------------------------|--------------------------|----------------------|
| Section: Complaints | | Procedure No: 207-34 |
| COMPLAINT FILE | | |
| DATE EFFECTIVE: 01/23/23 | LAST REVISION: R.O. 3 | PAGE: 1 of 3 |

PURPOSE

To maintain the complaint file properly.

COMMAND CLERK

1. Maintain complaint file in precinct, precinct detective squad concerned, and Criminal Records Unit. The complaints will be filed chronologically by category as specified below.

NOTE

Detective squads will maintain file copies of "open" cases by patrol. They will not be required to maintain files of "closed" cases by patrol. Detective squads will file investigated cases by crime category and "open" cases will be filed in each detective's "open" case folder.

2. File **COMPLAINT INDEX REPORT** numerically in special binder in front of complaint file.
3. File finalized copy of OMNIFORM System generated **COMPLAINT REPORT (PD313-152)** numerically.

NOTE

*"Finalized" means that the name of the supervisor approving the **COMPLAINT REPORT** is printed on the copy generated from the OMNIFORM System.*

4. Attach scratch copy of **COMPLAINT REPORT WORKSHEET (PD313-152A)** to OMNIFORM System generated **COMPLAINT REPORT** in file.
5. Maintain all **WORKSHEETS** and scratch copies of **Omniform Complaint Revisions** and **COMPLAINT FOLLOW-UP INFORMATIONALS (PD313-081A)** in complaint file, attached to the corresponding **COMPLAINT REPORT**.
6. Mount typed index on cardboard showing each file number and classification and place in front of file.
7. File active and closed cases together.
 - a. Investigative units and detective squads will file active cases by investigator or detective assigned, and closed cases by classification.
8. File attempts to commit a crime under "crime attempted" and acts by juveniles under "crime classification."
9. Attach **Omniform Complaint Revision** to the corresponding **COMPLAINT REPORT**.
10. File **COMPLAINT REPORTS** affecting other commands chronologically in the rear of the file.

ADDITIONAL DATA

Commanding officers concerned will ensure that the format and content of the typed cardboard mounted complaint file index maintained in the command, is as follows:

PATROL GUIDE

| | | | |
|-------------------|-----------------|----------------|--------|
| PROCEDURE NUMBER: | DATE EFFECTIVE: | LAST REVISION: | PAGE: |
| 207-34 | 01/23/23 | R.O. 3 | 2 of 3 |

**ADDITIONAL
DATA**
(continued)
FELONIES
FILE NO.
COMPLAINT FILE CATEGORY

| | |
|----|---|
| 1 | Murder |
| 2 | Manslaughter |
| 3 | Criminally Negligent Homicide |
| 4 | Rape and Attempted Rape |
| 5 | Robbery |
| 6 | Felonious Assault |
| 7 | Burglary |
| 8 | Grand Larceny |
| 9 | Grand Larceny - Auto |
| 10 | Criminal Possession - Stolen Property |
| 11 | Fraud |
| 12 | Forgery and Counterfeiting |
| 13 | Arson |
| 14 | Other Felony Sex Offenses |
| 15 | Controlled Substances - Felonies |
| 16 | Dangerous Weapons - Felonies |
| 17 | Driving While Intoxicated or Impaired by Drugs - Felony |
| 18 | Abandonment of a Child |
| 19 | Criminal Mischief |
| 20 | Reckless Endangerment - 1 st Degree |
| 21 | Other Felonies |

MISDEMEANORS,
VIOLATIONS, AND OTHER
INVESTIGATIONS
FILE NO.COMPLAINT FILE CATEGORY

| | |
|----|---|
| 22 | Dangerous Weapons - Misdemeanor |
| 23 | Burglar's Tools |
| 24 | Criminal Possession - Stolen Property - Misdemeanor |
| 25 | Escape 3 rd Degree |
| 26 | Jostling |
| 27 | Fraudulent Accosting |
| 28 | Endangering the Welfare of a Child |
| 29 | Sexual Misconduct (Section 130.20 P.L.) |
| 30 | (Reserved) |
| 31 | Sexual Abuse - Misdemeanor |
| 32 | Controlled Substances - Misdemeanors |
| 33 | Hypodermic Instruments |
| 34 | Public Lewdness |
| 35 | Petit Larceny |
| 36 | Fraud |
| 37 | Assault - 3 rd Degree |
| 38 | Driving While Intoxicated or Impaired by Drugs |
| 39 | Vehicle and Traffic Law - Misdemeanor |
| 40 | Criminal Mischief - Misdemeanor |
| 41 | Criminal Trespass |
| 42 | Administrative Code - Misdemeanor |
| 43 | Offenses Against Families and Children |